

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZAIM ASLLANI,

Plaintiff,

- against -

SAMIR HOTI AND S.H. GENERAL
CONTRACTING, LLC (d/b/a S-H GENERAL
CONTRACTING CORP.),

Defendants.
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19 Civ. 1106 (PGG) (RWL)

ORDER

USDC SDNY
DOCUMENT
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DATE FILED: 2-12-2020

ROBERT W. LEHRBURGER, United States Magistrate Judge.

By Order dated December 12, 2019, Judge Paul G. Gardephe granted a default judgment against Defendants Samir Hoti and S.H. General Contracting, LLC (d/b/a S-H General Contracting Corp.) (Dkt. 28), and referred this matter to me to conduct an inquest concerning Plaintiff's damages. (*Id.*) Pursuant to orders issued by me, Plaintiff filed affidavits and proposed findings of fact and conclusions of law on January 29, 2020.

Those submissions, however, are inadequate for determining damages. More particularly,

1. The findings of facts and conclusions of law filed by Plaintiff were not signed by counsel. By February 20, 2020, Plaintiff shall file a signed copy of same.

2. Plaintiff's affidavit does not set forth the actual hours he worked per day / week during what time periods; instead Plaintiff summarily states he was not paid for 176 hours of work and 20 hours per week of overtime. Meanwhile, the statement of facts asserts that Plaintiff worked "*as many as 60 hours per week (including every Saturday and two or three Sundays)*" and "*often more than eight hours per day.*" (Dkt. 32 ¶ 6.) By

implication, this means that there were days when Plaintiff worked less than 60 hours per week, and days when he did not work more than eight hours. By February 20, 2020, Plaintiff shall file an affidavit providing more definite and specific information regarding the number of hours he worked on what days and for what weeks.

3. Plaintiff shall serve Defendants with the additional filings and this order at Defendants' corporate address and via the New York Department of State. Plaintiff shall also serve the foregoing documents personally upon the individual Defendant, Samir Hoti. Service shall be made, and proof of service filed, no later than February 25, 2020. Defendants may file any responding documents no later than March 9, 2020.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
February 12, 2020